

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

MARK STOVALL,

Plaintiff,

CIVIL ACTION NO.: 5:15-cv-76

v.

BENJAMIN H. JOHNSON; LARRY STEVE  
MULLIS; FARMER JOHN, LLC; and  
FARMER JOHN REPAK, LLC,

Defendant.

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LARRY STEVE MILLER; FARMER JOHN,  
LLC; and BENJAMIN H. JOHNSON,

Counter Claimants,

v.

MARK STOVALL,

Counter Defendant.

**ORDER**

This matter is before the Court on Defendants' Motion to Modify Third-Party Subpoena, (doc. 25), Plaintiff's Motion to Compel Discovery, (doc. 27), and the parties' Joint Motion for Extension of Time to Complete Discovery, (doc. 32). The Court held a Telephone Conference on March 8, 2016, addressing these Motions. After hearing from the parties, the Court finds good cause to **GRANT** the parties' Motion for Extension of Time, (doc. 32). The Court **DEFERS RULING** on Defendants' Motion to Modify Third-Party Subpoena, (doc. 25) and **GRANTS IN PART AND DEFERS RULING IN PART** on Plaintiff's Motion to Compel Discovery, (doc. 27).

The Court **GRANTS** those portions of the Motion to Compel which Defendants do not contest. Therefore, as ordered at the telephonic hearing, the Defendants must provide to Plaintiffs, on or before March 31, 2016, any and all documents responsive the following discovery requests:

- Plaintiff's Request for Production No. 1 to all Defendants;
- Plaintiff's Request for Production No. 6 to Defendants Johnson and Mullis;
- Plaintiff's Request for Production No. 7 to Defendants Farmer John and Repak;
- Plaintiff's Request for Production No. 7 to Defendants Johnson and Mullis;
- Plaintiff's Request for Production No. 12 to all Defendants;
- Plaintiff's Request for Production No. 35 to Defendants Farmer John and Repak; and
- Plaintiff's Request for Production No. 31 to Defendants Johnson and Mullis.

As to the remaining issues in the Motion to Compel and the Motion to Modify the Third-Party Subpoena, the parties are **DIRECTED** to work together towards resolving those discovery disputes. Upon resolution of these Motions, the filing party shall file a Motion to Withdraw their respective Motion. However, should the parties need further involvement of the Court regarding these Motions, the parties are **DIRECTED** to contact the undersigned's Courtroom Deputy Clerk **no later than March 22, 2016**, to seek a ruling on the Motion to Modify Third-Party Subpoena and Motion to Compel Discovery.

Additionally, **IT IS HEREBY ORDERED** that discovery is extended up to and including **June 1, 2016**. This extension does not apply to the already expired deadlines for amending pleadings or filing expert reports. **On or before the June 1, 2016 discovery deadline**, the parties shall submit a Status Report to the Court.<sup>1</sup> The deadlines for filing all motions, including *Daubert* motions, and the joint consolidated proposed pretrial order are continued until further Order. Upon consideration of the Status Report, the Court will address those deadlines.

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<sup>1</sup> A Status Report Form shall be provided by the Courtroom Deputy Clerk for use in reporting to the Court. The parties are directed to contact the Deputy Clerk to obtain the Form and to use the content and format contained in this Form.

The deadlines in this Order shall not be extended except upon a specific showing of good cause and order of the Court. Fed. R. Civ. P. 16(b)(4). It is the Court's expectation that the parties will not need a further extension of these deadlines. The showing of good cause necessary to obtain an extension of any of these deadlines requires a specific showing of what the parties have accomplished to date in discovery, what remains to be accomplished, and why the parties have not been able to meet the Court's deadlines. Should any party seek an extension of these deadlines or seek the extension of any other deadline in this case (including an extension of a deadline to respond to a motion or file any other pleading), the party should first contact all other parties and determine if the opposing parties join in, consent to, or oppose the request for an extension. When filing the motion for an extension, the party requesting the extension must state in their motion for an extension whether the other parties join in, consent to, or oppose the request for an extension.

**SO ORDERED**, this 11th day of March, 2016.



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R. STAN BAKER  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA